UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

_____

IN RE:

SEALED MATTER

Case No. 08-10144

_____/

ORDER FOR SUPPLEMENTAL BRIEFING

Pending before the court is a motion to unseal this sealed matter, filed by

"Petitioners Willie Mae Truvillion and Herbert Lee Daniels, Sr." The government has

responded. The court now finds additional briefing by the government is necessary.

Specifically, the court orders the government to address three points:

1.) Under the "General rules for civil forfeiture proceedings," 18 U.S.C. § 983, section (a)(1)(A)(ii) provides "[n]o notice is required if, before the 60-day period expires, the Government files a civil judicial forfeiture action against the property and provides *notice of that action as required by law.*"

The government will brief its position on what is meant by the phrase, "notice of that action as required by law."

2.) The government shall also brief why a written certification by a supervisory official in the headquarters of the seizing agency has not been produced so that the court might extend the period of notice beyond the 60-day period, pursuant to 18 U.S.C. § 983(a)(1)(C).

3.) The government claims that movants have not yet "filed notice of their interest or claims in this judicial case and, indeed, *they are not yet required to do so.*" (Resp., ¶ 5.)

The government shall brief its basis for concluding movants are "not yet required" to file a notice of their interest.

Accordingly,

IT IS ORDERED that the government is DIRECTED to submit a supplemental

brief addressing the above three points. The supplemental brief shall not exceed ten

pages. The government's brief must be filed no later than **October 22, 2008**.

S/Robert H. Cleland
ROBERT H. CLELAND
UNITED STATES DISTRICT JUDGE

Dated: October 1, 2008

I hereby certify that a copy of the foregoing document was mailed to counsel of record
on this date, October 1, 2008, by electronic and/or ordinary mail.

S/Lisa Wagner
Case Manager and Deputy Clerk
(313) 234-5522